



The following constitutes the order of the court.
Signed August 31, 2016


William J. Lafferty, III
U.S. Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

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| In re | No. 16-41980 |
| Taleah Danise Brown, | Chapter 13 |
| Debtor. | |

MEMORANDUM

On July 14, 2016, Debtor filed the above-captioned case. On July 18, 2016, Debtor filed the *Further Certification of Cure of Monetary Default Underlying Judgment for Possession of Residential Property and Proof of Deposit* (doc. 9) (the "First Certification"). On August 3, 2016, Creditor Debra Reese filed the *Objection to Debtor's Certification of Cure of Monetary Default Underlying Judgment for Possession of Residential Property and Proof of Deposit* (doc. 24) (the "Objection"). On August 17, 2016, the Court held a hearing on both the Objection and the Creditor's *Motion For Order Confirming That No Stay Is In Effect* (doc. 18) (the "Motion"). Appearances were noted on the record. At the conclusion of the hearing, the Court granted the Motion, but stated that the relief would not be effective for 14 days. On August 24, 2016, Debtor filed the *Further Certification of Cure of Monetary Default*

1 *Underlying Judgment for Possession of Residential Property and Proof of Deposit* (doc. 41)
2 (the “Second Certification”).

3 In disposing of the Objection, the Court notes that the Second Certification is untimely
4 as it was filed after the hearing on the Objection. The order sustaining the Objection, which is
5 being entered concurrently hereto, was not signed earlier due to the Court being unavailable
6 and the fact that Ms. Reese’s counsel does not have access to the CM/ECF system.
7 Furthermore, and more to the point, the Court notes that in the First Certification and the
8 Second Certification, Debtor did not provided evidence that she cured the monetary default that
9 gave rise to the judgment for possession or that she deposited any rent that became due during
10 the 30-day period after the filing of the petition. 11 U.S.C. §§ 362(l)(1)(A)-(B).

11 ***END OF MEMORANDUM***
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COURT SERVICE LIST

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